

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America
v.
Cesar Arturo Mariscal-Gonzalez

Case No.

25-366 MJ

FILED
UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO
MAR - 3 2025
MITCHELL R. ELFERS
CLERK OF COURT

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 2, 2023 in the county of Dona Ana in the
District of New Mexico, the defendant(s) violated:

Code Section

21 U.S.C. §846

Offense Description

Conspiracy to Distribute approximately 4,443 Net Grams and More of
Methamphetamine.

This criminal complaint is based on these facts:

See attached affidavit, incorporated by reference herein.

☒ Continued on the attached sheet.


Complainant's signature

Chandler Rule, DEA Special Agent

Printed name and title

Sworn to before me ^{via phone.} and signed in my presence.

Date:

3/3/25

City and state:

Las Cruces, New Mexico



Judge's signature

Damian L. Martinez, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, DEA Special Agent (SA) Chandler Rule, Affiant, being duly sworn, state that the following information is true and correct to the best of my knowledge and belief:

The following information is based upon my personal involvement in this investigation and information provided to me by other officers and agents and is presented as probable cause to arrest Cesar Arturo Mariscal-Gonzalez (hereinafter referred to as Mariscal). Since this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every known fact regarding this investigation. More specifically, I have set forth only pertinent facts that I believe are necessary to establish probable cause.

On October 17, 2023, agents, acting in an undercover (UC) capacity, messaged a Mexican telephone number, which agents later used was used by Mariscal, via WhatsApp asking if he had cocaine to sell. Mariscal engaged in conversation with agents and asked how agents obtained the phone number. The agent told Mariscal that he obtained his phone number from another individual (Individual #1). Individual #1 is a known co-conspirator of Mariscal who is incarcerated for drug trafficking.

From October 18 to November 2, 2023, a UC communicated with Mariscal and co-conspirators. On October 18, 2023, the UC contacted Mariscal and engaged in conversation about cocaine and methamphetamine dealing. Mariscal told the UC that he had methamphetamine and cocaine in El Paso, Texas. Mariscal told the UC the price per kilogram of methamphetamine is \$2,700.

Again, on October 20, 2023, Mariscal told the UC that he was going to trust in the UC. Mariscal told the UC that he has methamphetamine in El Paso for \$2,700 per kilogram. Mariscal told UC that that he was not able to cross to the United States (U.S.) and was in the process of obtaining his border crossing card. The UC and Mariscal agreed to coordinate a transaction for five to ten kilograms of methamphetamine in the coming days. Mariscal asked the UC to give him a three-day notice from when he needed the methamphetamine.

On October 24, 2023, the UC asked Mariscal if they could start with a transaction of two kilograms of methamphetamine. Mariscal told the UC that the transaction had to be in increments of five kilograms because that is how the loads cross from Mexico into the U.S. During the same conversation, Mariscal told the UC that he had eight to ten kilograms of cocaine in Phoenix, Arizona, for sale at \$15,500 per kilogram. Both agreed to remain in communication.

On the same day, the UC told Mariscal that they could start with a transaction of five kilograms of methamphetamine. Mariscal agreed. Mariscal and the UC agreed to conduct the transaction on October 30, 2023.

Agents attempted an undercover operation on October 30, 2023, to conduct the transaction of five kilograms of methamphetamine. Several phone calls took place between the UC and Mariscal. However, the transaction did not take place due to Mariscal's co-conspirators not being ready.

Mariscal and the UC maintained communication and agreed to conduct the transaction on October 31, 2023. Several phone calls took place between the UC and Mariscal on October 31,

2023. However, the transaction did not take place because Mariscal co-conspirators had vehicle issues.

Throughout November 1, 2023, Mariscal and the UC maintained communication to continue to coordinate the transaction. On the same day, Mariscal told the UC that he had sent the UC's phone number to an associate to better coordinate the transaction and avoid any more issues. The UC later told Mariscal that nobody had called. Mariscal then provided his associate's phone number to the UC.

The UC then began communicating with co-conspirators who were working in concert with Mariscal. The co-conspirators then coordinated with the UC to provide the UC methamphetamine in El Paso, Texas. The UC then called Mariscal to tell him the transaction had been coordinated for November 2, 2023. Mariscal told the UC to only pay \$12,000 at the transaction and he would provide the UC with instructions on where to send the remaining \$1,500. The transaction was negotiated for five kilograms of methamphetamine for \$2,700 each for a total of \$13,500.

On November 2, 2023, the UC and Mariscal agreed on the transaction happening in Sunland Park, New Mexico. Mariscal originally assured the UC the transaction would happen in New Mexico. However, later in the day, the transaction location was changed to El Paso, Texas, with Mariscal assuring the UC that future transactions would happen in New Mexico.

On November 2, 2023, agents conducted an undercover operation to conduct the transaction of the five kilograms of methamphetamine. Prior to the transaction, the UC received phone calls from Mariscal. During those calls, Mariscal was making sure that the UC was in the area of the agreed-upon transaction location in El Paso, Texas. On that same day, a courier working for the Mariscal drug trafficking organization delivered approximately five kilograms of methamphetamine to the UC in El Paso, Texas.

The methamphetamine was submitted to the DEA Laboratory. According to the DEA Laboratory, the substance resulted positive for 4,443 net grams of pure methamphetamine.

Immediately following the transaction, the UC telephonically communicated with Mariscal and told him that the transaction was successful. Mariscal then gave directions for the UC to send \$1,500 which was still owed to Mariscal for arranging the methamphetamine purchase via wire remitters to his son and other individuals. However, agents did not send the money to the co-conspirators.

On November 6, 2023, the UC again communicated with Mariscal. Mariscal told the UC that he had a co-conspirator in Deming, New Mexico, who would receive the remaining \$1,500, which was the amount still due for the methamphetamine transaction.

On November 7, 2023, agents conducted another undercover operation to deliver the money to Mariscal's associate. Mariscal sent the UC a contact and telephone phone number of his associate. The UC then called the co-conspirator. The co-conspirator identified himself as Mariscal's brother-in-law. The UC then met the co-conspirator in Deming, New Mexico. At the agreed upon meeting

location, the UC provided the co-conspirator the \$1,500. The subject then told the UC that he would take the money directly to Mariscal.

After the meeting, the UC called Mariscal to verify that the UC had delivered the money to his associate. Mariscal and the UC agreed to remain in communication for future transactions.

On February 26, 2024, Mariscal and the UC continued to communicate telephonically. Mariscal asked the UC if the UC could check Mariscal's legal status. Mariscal then sent his name, via text message, as "Cesar Arturo Mariscal Chavez."

On March 3, 2025, Mariscal arrived to the Ysleta Port of Entry in El Paso, Texas to complete a visa application. Mariscal provided agents with his phone number, which was one of the phone numbers over which the UC had been in contact with Mariscal. The UC was present during the interview and confirmed Mariscal's voice was the same voice the UC spoke to coordinate the methamphetamine transaction.

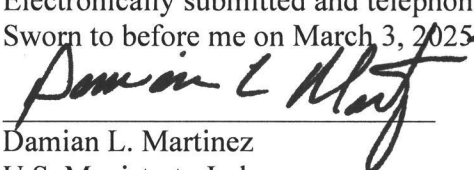
On the same day, Mariscal's Sonora-Gonzalez also arrived at the Port of Entry. Agents spoke to the son. The son provided Mariscal's phone number, which was the same as one of the same numbers Mariscal used to talk to the UC to coordinate drug deals. According to the son, Mariscal has had the telephone for at least five years.

Based on the above, there is probable cause to believe that on November 2, 2023, in the District of New Mexico, Mariscal conspired to distribute 4,443 net grams and more of methamphetamine, in violation of 21 U.S.C. §846.

AUSA Renee Camacho authorized the case for federal prosecution against Mariscal.


Chandler Rule
DEA Special Agent

Electronically submitted and telephonically
Sworn to before me on March 3, 2025


Damian L. Martinez
U.S. Magistrate Judge